

# KING & SPALDING

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November 2, 2023

**VIA ECF**

Hon. Brian R. Martinotti  
United States District Court  
District of New Jersey  
50 Walnut Street  
Room PO 01  
Newark, NJ 07102

**Re:    *State of New Jersey v. U.S. Dep’t of Transportation et al.*, No. 2:23-cv-03885**

Dear Judge Martinotti:

I write on behalf of the State of New Jersey (“Plaintiff”) to respectfully request an extension of the page limits imposed by Local Rule 7.2 in connection with Plaintiff, Defendants’, and Intervenor-Defendants’ motions for summary judgment.

As Your Honor is aware, this is a case of first impression because it involves the first proposal in the nation to address congestion. As a result, this case includes parties from the local, state, and federal government, and raises novel and complex legal issues. The proposed congestion pricing scheme will have a profound and lasting impact on the entire Tri-State Region. Despite the project’s novelty and interstate effect, Defendants have issued a “Finding of No Significant Impact” and forewent the opportunity to conduct the required Environmental Impact Statement. Accordingly, we believe the requested page extension is warranted.

Plaintiff proposes the following page limit extension, which Defendants and Intervenor-Defendants (collectively “Defendants” as referred to below) consent to:

1. Plaintiff’s Motion for Summary Judgement: 50 pages (12-point font);
2. Defendants’ Cross Motion for Summary Judgment and Reply in Opposition to Plaintiff’s Motion for Summary Judgment: 50 pages (12-point font);
3. Plaintiff’s Opposition to Defendants’ Cross Motion for Summary Judgment and Reply in Further Support of Plaintiff’s Motion for Summary Judgment: 50 pages (12-point font); and
4. Defendants’ Reply in Support of Defendants’ Cross Motion for Summary Judgment: 25 pages (12-point font).

As always, we thank the Court for its consideration.

Respectfully submitted,

/s/ Craig Carpenito  
Craig Carpenito

cc: All counsel of record (via ECF)